

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Education and Cultural Affairs*

August 2001

Members:

Sen. Betty Lou Mitchell, Chair

Sen. John M. Nutting

Sen. Margaret Rotundo

Rep. Shirley K. Richard, Chair

Rep. Mabel J. Desmond

Rep. James G. Skoglund

Rep. Elizabeth Watson

Rep. Stephen C. Estes

Rep. Glenn Cummings

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Rep. Mary Black Andrews

Rep. Carol Weston

Rep. Mary Ellen Ledwin

Rep. Donald G. Soctomah

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Maine State Legislature
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120th Legislature
First Regular Session

Summary Of Legislation Before The Joint Standing Committees
August 2001

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CARRIED OVER..... *Bill Carried Over to Second Regular Session*
CON RES XXX..... *Chapter # of Constitutional Resolution passed by both Houses*
CONF CMTE UNABLE TO AGREE..... *Committee of Conference unable to agree; bill died*
DIED BETWEEN BODIES..... *House & Senate disagree; bill died*
DIED IN CONCURRENCE..... *One body accepts ONTP report; the other indefinitely postpones the bill*
DIED ON ADJOURNMENT..... *Action incomplete when session ended; bill died*
EMERGENCY..... *Enacted law takes effect sooner than 90 days*
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE..... *Emergency bill failed to get 2/3 vote*
FAILED ENACTMENT/FINAL PASSAGE..... *Bill failed to get majority vote*
FAILED MANDATE ENACTMENT..... *Bill imposing local mandate failed to get 2/3 vote*
NOT PROPERLY BEFORE THE BODY..... *Ruled out of order by the presiding officers; bill died*
INDEF PP..... *Bill Indefinitely Postponed*
ONTP..... *Ought Not To Pass report accepted*
OTP ND..... *Committee report Ought To Pass In New Draft*
OTP ND/NT..... *Committee report Ought To Pass In New Draft/New Title*
P&S XXX..... *Chapter # of enacted Private & Special Law*
PUBLIC XXX..... *Chapter # of enacted Public Law*
RESOLVE XXX..... *Chapter # of finally passed Resolve*
UNSIGNED..... *Bill held by Governor*
VETO SUSTAINED..... *Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is **September 21, 2001**.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Education and Cultural Affairs

Enacted law summary

Resolve 2001, chapter 55 provides for a process of so-called "final offer arbitration" as a means to revising the method of sharing costs between the municipalities of St. Agatha and Frenchville in the 2-member district of School Administrative District No. 33. The law provides that, notwithstanding the provisions of the Maine Revised Statutes, Title 20-A, section 1301, subsection 3, the Commissioner of Education may appoint an arbitrator to assist the representatives of School Administrative District No. 33 in the settlement of a dispute related to amending the cost-sharing formula between the 2 parties. The law also directs the State Board of Education to review the effectiveness of this alternative dispute resolution process, to evaluate the potential for alternative dispute resolution processes in encouraging 2-member districts to resolve disputes in reconsidering the method of sharing district costs and to report its findings and any recommendations to the Joint Standing Committee on Education and Cultural Affairs by April 15, 2002. The law further authorizes the committee to report out legislation regarding the alternative dispute resolution process to the Second Regular Session of the 120th Legislature.

LD 999

An Act to Provide First Responder Teams For Schools to Assist with Violent and Chronically Disruptive Students

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CATHCART QUINT	ONTP	

LD 999 proposed to direct each school board to adopt a policy to implement a first responder team at each school within a school administrative unit and provide state funding to train members of the first responder teams.

LD 1011

An Act to Modify the Maine Student Incentive Scholarship Program

**PUBLIC 70
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMALL RICHARD	OTP-AM	S-39

LD 1011 proposed to amend the provisions of the student incentive scholarship program by renaming the program and by redefining the maximum length of the grant to a period equal to 150% of the total amount of time the institution that the student is attending publishes as the ordinary length of the program in which the student is enrolled. The bill also proposed to clarify language that restricted the use of grant funds from replacing institutional or other grant aid.

Enacted law summary

Public Law 2001, chapter 70 amends certain provisions of the student incentive scholarship program by renaming the program and by redefining the maximum length of the grant to a period equal to 150% of the total amount of time the institution that the student is attending publishes as the ordinary length of the program in which the student is enrolled. The law also clarifies the existing statutory provision that restricts the use of grant funds from

Joint Standing Committee on Education and Cultural Affairs

replacing institutional or other grant aid; and provides for a sunset review of this provision by requiring the Finance Authority of Maine to provide recommendations to the Governor and the Legislature concerning the need for extending or repealing authorization for this provision in its annual report to the Legislature for fiscal year 2002-03.

Public Law 2001, chapter 70 was enacted as an emergency measure effective May 2, 2001.

LD 1020

**Resolve, to Assess the Condition of Historical Records in Maine
Historical Records Repositories**

**RESOLVE 10
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP GAGNON	OTP-AM	H-126

LD 1020, a resolve, proposed to require the Secretary of State and the University of Maine System to develop a plan for designating regional depositories for rare books, manuscripts and vital records.

Committee Amendment "A" (H-126) proposed to replace the resolve, make the resolve an emergency and change the title of the resolve.

This amendment would have required the Secretary of State and the University of Maine System to plan for assessing the condition of historical records in Maine, the threats to the integrity of those records and accessibility of those records. The plan proposed to include an educational component that provides assistance to historical records repositories in protecting, preserving and providing access to those materials.

The amendment proposed that the Secretary of State and the University of Maine System report back to the Joint Standing Committee on Education and Cultural Affairs on that plan by February 1, 2002.

Enacted law summary

Resolve 2001, chapter 10 requires the Secretary of State and the University of Maine System to plan for assessing the condition of historical records in Maine, the threats to the integrity of those records and accessibility of those records. The plan must include an educational component that provides assistance to historical records repositories in protecting, preserving and providing access to those materials. The law also directs the Secretary of State and the University of Maine System to report back to the Joint Standing Committee on Education and Cultural Affairs on that plan by February 1, 2002.

Resolve 2001, chapter 10 was finally passed as an emergency measure effective May 8, 2001.